

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

2. Authorization for this examiner's amendment was given in a telephone interview with Shannon A. Carroll on 10/15/2009.

3. IN THE CLAIMS:

--Claim 10 (Currently amended) A transgenic plant stably transformed with a nucleic acid molecule comprising [a] an isolated nucleic acid sequence that encodes a protein comprising (1) a Hd-Zip domain that binds SEQ ID NO:23 attached to (2) SEQ ID NO:30, wherein the nucleic acid molecule is expressed in the plant and the expression of the nucleic acid provides an increased tolerance to drought as compared to a wild type variety of such plant under the same conditions.--

--Claim 17 (Currently amended) A plant seed stably transformed with a nucleic acid molecule comprising [a] an isolated nucleic acid sequence that encodes a protein comprising (1) a Hd-Zip domain that binds SEQ ID NO:23 attached to (2) SEQ ID NO:30, wherein the nucleic acid molecule is expressed in the seed and the expression of the nucleic acid provides an increased tolerance to drought as compared to a wild type variety of such plant seed under the same conditions.

Art Unit: 1638

Claim 18 (Currently amended) A plant host cell that has been stably transformed with a nucleic acid molecule comprising [a] an isolated nucleic acid sequence that encodes a protein comprising (1) a Hd-Zip domain that binds SEQ ID NO:23 attached to (2) SEQ ID NO:30, wherein the nucleic acid molecule is expressed in the plant host cell.--

--Claim21 (Currently amended) A method of producing a water stress tolerant transgenic plant, the method comprising:

stably transforming a plant cell or cell culture with a nucleic acid molecule comprising [a] an isolated nucleic acid sequence that encodes a protein comprising (1) a Hd-Zip domain that binds SEQ ID NO:23 attached to (2) SEQ ID NO:30, wherein the nucleic acid is expressed in the plant cell or cell culture; and regenerating the cell or cell culture into a plant.--

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Stuart F. Baum whose telephone number is 571-272-0792. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Anne Marie Grunberg can be reached at 571-272-0975. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

Art Unit: 1638

applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Stuart F. Baum/
Stuart F. Baum Ph.D.
Primary Examiner
Art Unit 1638
October 15, 2009